

REMARKS

The present Amendment amends claims 7 and 9 and leaves claim 8 unchanged. Therefore, the present application has pending claims 7-9.

An amendment was made to the specification to correct a minor error. Entry of this amendment is respectfully requested.

Claims 7-9 stands rejected under 35 USC §103(a) as being unpatentable over Fowler (U.S. Patent Application Publication No. 2003/0126394) in view of Watanabe (U.S. Patent No. 6,748,502). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 7-9 are not taught or suggested by Fowler or Watanabe whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to claims 7-9 so as to more clearly recite that the present invention is directed to an operating/managing method in an operating/managing system of a plurality of storage apparatuses. The present invention is intended to be used for changing from a currently used storage service provider (SSP) to a new SSP based on various factors particularly prestored property information regarding each SSP. According to the present invention as now more clearly recited in the claims a comparison is performed between a desired property of a SSP and properties of each of a plurality of SSPs so that the SSP having a property which satisfies the desired property is selected. Further, according to the present invention once the selected SSP is identified then actions are taken by the operating/managing

system so as to cause a changing of a path of communication between the computer currently being used by the computer used by the user and the storage apparatus to another path of communication between the computer and the selected storage apparatus to be used next.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by Fowler or Watanabe whether taken individually or in combination with each other as suggested by the Examiner.

Fowler simply teaches a system and method for remotely configuring storage space in multiple storage devices. Fowler teaches that the multiple devices include free storage space and storage space allocated to a user for storing data from the user and that a portion of the free storage space is automatically transferred to the allocated storage space in response to a request by the remote user to increase the size of the allocated storage space.

However, at no point is there any teaching or suggestion of an operating/managing system as in the present invention as recited in the claims. Particularly, there is no teaching or suggestion in Fowler that such an operating/managing system is provided that performs various operations including receiving an input of a desired property from a user, comparing the desired property to each property of a plurality of SSPs, selecting a SSP having a property that satisfies the desired property and then changing a path of communication from the storage apparatus of the SSP currently in use to the storage apparatus of the SSP having a property that satisfies the desired property as in the present invention as recited in the claims.

Thus, Fowler fails to teach or suggest causing a storage apparatus to be specified, the specified storage apparatus being the storage apparatus in use at present, holding address information of an address of the specified storage apparatus in the storage apparatus information holding means and holding information concerning a property of each of the at least two storage apparatuses connected to the at least two storage apparatuses connecting means in property holding means as recited in the claims.

Further, Fowler fails to teach or suggest causing a desired property to be specified from the computer for use in selecting a storage apparatus to be used next having a property that satisfies the desired property, and causing a particular storage apparatus to be selected among candidates of storage apparatuses indicated from the operating/managing system by comparing the desired property to the property of each of the at least two storage apparatus held in the holding means and selecting a storage apparatus having a property that satisfies the desired property as the storage apparatus to be used next as recited in the claims.

Still further, Fowler fails to teach or suggest holding address information of the address of the selected storage apparatus to be used next in the storage apparatus information holding means in addition to the address information of the address of the storage apparatus in use at present, wherein connection destination switching means creates a copy of data sent from the computer and changes a source address and a destination address of the copy of data to an address of a corresponding storage apparatus connecting means and the address of the selected storage apparatus to be used respectively, thereby changing a path of communication between the

computer and the storage apparatus in use at present to another path of communication between the computer and the selected storage apparatus to be used next as recited in the claims.

Still further yet, Fowler fails to teach or suggest that the operating/managing system communicates with the selected storage apparatus and writes the copy of data into the selected storage apparatus and that information produced duplicating means is provided which controls reading out of data from the storage apparatus in use at present and writing in of the data into the storage apparatus to be used next based on the address information held in the storage apparatus information holding means as recited in the claims.

The above described deficiencies of Fowler are not supplied by Watanabe. Therefore, combining the teachings of Fowler and Watanabe in the manner suggested by the Examiner still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

Watanabe teaches a virtual volume storage which is a system for providing data storage service. However, Watanabe teaches, for example, in col. 5, lines 22-25 and in col. 8, lines 5-19 that the changing or creating of volumes is performed based on collaboration between the local storage 106 and the service provider sites 102 and 103. As is quite clear from the above, the present invention operates by selecting a particular storage apparatus based upon a desired property which is compared to each prestored property of the SSPs. Such features are clearly not taught or suggested by Watanabe.

Thus, Watanabe suffers from the same deficiencies relative to the features of the present invention as recited in the claims as Fowler as shown

above. Therefore, combining the teachings of Fowler and Watanabe in the manner in the suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 7-9 as being unpatentable over Fowler in view of Watanabe is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 7-9.

In view of the foregoing amendments and remarks, applicants submit that claims 7-9 are in condition for allowance. Accordingly, early allowance of claims 7-9 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.41184X00).

Respectfully submitted,

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